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GOOGLE INC.

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19 UNITED STATES DISTRICT COURT

20 DISTRICT OF NEVADA

22 Unwired Planet LLC,

23 Plaintiff,

24 vs.

25 Google Inc.,

26 Defendant.

27 AND RELATED COUNTERCLAIMS

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| COUNSEL/PARTIES OF RECORD | |
| OCT - 2 2014 | |
| CLERK US DISTRICT COURT | |
| DISTRICT OF NEVADA | |
| BY: | DEPUTY |

Case No. 3:12-cv-504-MMD-VPC

UNOPPOSED MOTION BY DEFENDANT
GOOGLE TO SERVE SUPPLEMENTAL
NON-INFRINGEMENT CONTENTIONS
FOR THE '760 AND '016 PATENTS

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1 Pursuant to LR 16.1-12, Defendant Google Inc. (“Google”), by and through its
2 counsel of record, hereby respectfully submits this unopposed motion for leave to serve
3 supplemental non-infringement contentions for U.S. Patent No. 6,944,760 and 6,662,016.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 Local Rule 16.1-12 provides that after the discovery cutoff date, supplemental
6 disclosures may only be served by order of the Court upon a timely showing of good cause. Good
7 cause exists here because Google’s non-infringement contentions are responsive to Plaintiff
8 Unwired Planet’s (“Unwired”) supplemental infringement contentions that were served close in
9 time to the discovery cutoff date. Counsel for Google has provided copies of its proposed
10 supplemental contentions to counsel for Unwired, and counsel for Unwired has confirmed that it
11 does not oppose this motion. The relevant dates are as follows:

12 **November 29, 2013:** Unwired supplemental infringement contentions due.

13 **January 28, 2014:** Google supplemental non-infringement contentions due.

14 **February 25 and May 23, 2014:** Unwired serves further supplemental
15 infringement contentions for the ‘760 patent.

16 **March 4, May 16, and May 30, 2014:** Unwired serves further supplemental
17 infringement contentions for the ‘016 patent.

18 **May 30, 2014:** Last day of fact discovery.

19 **August 12, 2014:** Google provides Unwired with copies of supplemental non-
20 infringement contentions responsive to Unwired’s further supplemental
21 contentions, and asks Unwired if Unwired will oppose a motion for leave to serve.

22 **September 24, 2014:** Unwired states that it does not oppose leave to serve the
23 supplemental non-infringement contentions.

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1 Therefore, based on Google's timely showing of good cause as set forth above,
2 Google respectfully requests that its unopposed motion for leave to serve supplemental non-
3 infringement contentions for the '016 and '760 patents be granted.

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5 DATED: September 30, 2014

MUNGER, TOLLES & OLSON LLP

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By: /s/ Peter E. Gratzinger

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Peter E. Gratzinger

Attorneys for Defendant Google Inc.

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IT IS SO ORDERED:

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UNITED STATES MAGISTRATE JUDGE

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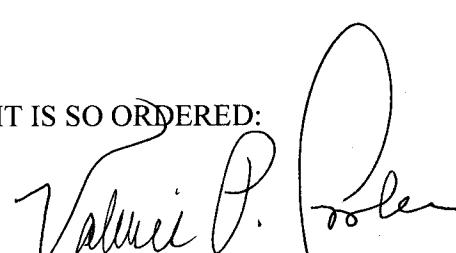
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Dated: October 1, 2014

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CERTIFICATE OF SERVICE

I certify that, on September 30, 2014, I served a true and correct copy of the

**UNOPPOSED MOTION BY DEFENDANT GOOGLE TO SERVE SUPPLEMENTAL
NON-INFRINGEMENT CONTENTIONS FOR THE ‘760 AND ‘016 PATENTS upon the
following counsel of record through the Court’s CM/ECF system:**

following counsel of record through the Court's CM/ECF system:

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16 | DATED: September 30, 2014

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